IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.76 OF 2006

Mrs Sarika Avinash Garibe ...Applicant

Versus

Avinash Chandrakant Garibe ...Respondent

Shri Vilas B. Tapkir for the Applicant.
Shri S.D.Dharmadhikari for the Respondent.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 10, 2007.

P.C.:

1. Heard Advocates appearing for the parties. The learned Advocates state that amicable settlement is not possible. Therefore, I have taken up the Application for hearing.

2. The Applicant is the wife and the Respondent is the husband. The prayer in this Application is for transfer of a petition for dissolution of marriage filed by the Respondent-husband in the Court of the Civil Judge, Senior Division, Kalyan, District Thane to the Family Court at Pune. One of the grounds stated in the Application is that the Applicant is the Resident of Hadapsar, Pune and therefore, she finds it difficult to attend proceedings of the Petition in the court at Kalyan in District Thane. The learned Advocate for the Respondent states that the Respondent has no objection

for transferring the Petition only on this ground. He, however, denies all the other allegations made in the Application.

3. In view of the aforesaid submissions, a case is made out for passing the order of transfer. It is, however, made clear that the order of transfer is passed only on the ground of personal convenience of the Applicant-wife and none of the other grounds in the Application are accepted.

4. Hence, Application is disposed of by passing following order:

(i) Marriage Petition No.171 of 2006 pending in the Court of the Civil Judge, Senior Division at Kalyan is hereby transferred to the Family Court at Pune for hearing and final disposal.

(ii) Family Court at Pune will issue notice to both the parties of the date fixed in the Petition.

(iii) Parties and the concerned courts to act upon an authenticated copy of this order.

JUDGE